

Stark County Board of Developmental Disabilities

HIPAA Procedure 17: HIPAA Incidental Disclosures	Effective: 4/14/2003
Chapter 2: Agency Administration	Page 1 of 1


Subject: HIPAA Incidental Disclosures

An incidental disclosure is a secondary disclosure of Protected Health Information (“PHI”) that cannot reasonably be prevented, is limited in nature, and that occurs as a by-product of an otherwise permissible disclosure.

It is important to recognize that while incidental disclosures are not violations of the HIPAA Privacy Rule, the disclosure of PHI that are a result of one’s failure to apply reasonable safeguards or the minimum necessary standard will still be seen as violations.

Likewise, erroneous disclosures resulting from a mistake or neglect are not incidental disclosures.

While the intention is to take all reasonable efforts to limit the uses and disclosures to the minimum necessary, certain incidental disclosures may occur. While acknowledging that incidental disclosures will occur, the Board will continue to attempt to limit the occurrences of incidental disclosures. All staff are encouraged to make suggestions to the Compliance Committee Member responsible for the PHI or the Privacy Officer regarding ways to further protect against incidental disclosures.

<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Applies to:</td> <td style="width: 15%;">Yes</td> <td style="width: 15%;">No</td> </tr> <tr> <td>All Employees</td> <td style="text-align: center;">X</td> <td></td> </tr> <tr> <td>Non Represented</td> <td></td> <td></td> </tr> <tr> <td>SCEPTA</td> <td></td> <td></td> </tr> <tr> <td>SCDD SSA</td> <td></td> <td></td> </tr> <tr> <td>See Current Bargaining Agreement</td> <td></td> <td></td> </tr> </table>	Applies to:	Yes	No	All Employees	X		Non Represented			SCEPTA			SCDD SSA			See Current Bargaining Agreement			<p>Historical Resolution Information Policy 2.22 HIPAA</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Date</td> <td style="width: 50%;">Resolution</td> </tr> <tr> <td>1/19/13</td> <td>01-09-13</td> </tr> </table> <p>Procedure Revised 6/11/12</p>	Date	Resolution	1/19/13	01-09-13
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Superintendent’s Signature: 	Reviewer(s): Privacy Officer Security Officer																						